

May 9, 2001

Patrick Plantenberg
Operating Permit Section Supervisor
Hard Rock Program
Montana Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901

Re: Request for minor permit amendment to Operating Permit #00122

Dear Mr. Plantenberg:

Pursuant to your request, please find below a request for a minor revision to the CR Kendall Mine Operating Permit in the format you requested:

A. General Summary Explaining the Revision

CR Kendall Corporation is applying for a minor revision #01-001 to Operating Permit #00122 which reflects current thinking as to the best manner in which to complete reclamation at the Kendall Mine and ensure long-term stability of the site. Particularly, the minor revision contains changes to the process valley closure plan, the Barnes-King Pit and Kendall Pit reclamation plans, and water management plans that have arisen out of investigations carried out by CR Kendall (CRK), the Department of Environmental Quality (DEQ), and other interested parties. The changes are described in detail in the Amended Closure Plan (Plan) which was submitted by CR Kendall to DEQ on March 6, 2001, and in replacement pages and responses to questions as a result of DEQ's first review of the Plan.

B. Rationale for Asserting Non-Significance Pursuant to 82-4-337(7) MCA

The proposed minor revision will not adversely affect the human environment because it provides the same, or higher, level of environmental protection at the previously approved plans and revisions. No new ground disturbance is anticipated as a result of implementation of this proposed revision; therefore, no changes in the permit boundary are required which fits the requirements of MMRA 82-4-342(g) for minor revisions to operating permits.

C. Identification of Previous Environmental Analyses Relevant to the Revision

This proposed revision modifies the Soils and Revegetation Plan for the Final Closure at the Kendall Mine which was submitted in December of 1994 and approved with revisions in July 1995, the Drainage and Sediment Control Plan which was submitted in August of 1995 and

approved with revisions in March 1996; DEQ's June 2000 Environmental Analysis of Revised Bond Calculations for the CR Kendall Mine; and other revisions and modifications relating to management of water and monitoring.

D. Reference to prior commitments to topsoil salvage, sediment control, reclamation, and other previously approved plans or standards that are applicable to the revision

Previously approved plans or standards are contained in the Soils and Revegetation Plan for Final Closure at the Kendall Mine as revised and accepted in July 1995, the Drainage and Sediment Control Plan as revised and approved in March 1996, and DEQ's June 2000 Environmental Analysis of Revised Bond Calculations for the CR Kendall Mine. All of these current plans are modified by this revision request.

E. Documentation of the existing bonding, if appropriate

Please see the February 9, 2001, agreement between CR Kendall and DEQ which is included in Appendix 1 of the Amended Closure Plan.

F. Updated replacement pages and permit map for the permitted plan of operations

CRK is provided replacement pages for the relevant permit documents. An updated permit map is included with the Amended Closure Plan.

G. Any necessary construction, operating, reclamation, monitoring, and contingency plans.

All necessary construction, operating, reclamation, monitoring, and contingency plans are contained in the Amended Closure Plan and responses and replacement pages provided in response to DEQ questions.

H. An updated or comprehensive facilities map that clearly indicates all areas subject to pre-July 1, 1974 bonding levels. No action under this subsection affects a bond in effect under July 1, 1974 bonding levels.

A map is provided in the Amended Closure Plan.

If you have any questions or require additional information, please don't hesitate to contact me.

Regards,

James E. Volberding